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February 5, 2004

VIA OVERNIGHT DELIVERY

Robert W. Cinque, Esq.
Cinque & Cinque, P.C.
845 Third Avenue
New York, NY 10022

Re: *The Kroger Co., v. Malese Foods Corp. f/k/a Malese Foods Corp.*

Dear Bob:

Attached please find a supplemental set of documents pertaining to your request for correspondence related to the Kroger purchase of Balkhouse Associates' interest that run from November 7, 1995 to September 25, 2001. Some of these duplicate documents you have already received.

After your complaints about our discovery during the depositions in New York, we had Kroger check specifically for such correspondence, and this is the result of that search. I trust that this still gives you plenty of time to prepare for the depositions you intend to take of the Kroger personnel when you visit in a month.

I will file a Motion today to extend the time to permit those depositions of Kroger personnel the first week of March.

Sincerely,



Douglas R. Dennis

DRD
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